

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	Criminal No. 04-MJ-632-KPN
v.)	
)	
MOHAMED ALKHAOLANI)	
)	
)	

**GOVERNMENT'S ASSENTED TO MOTION TO
CONTINUE DETENTION HEARING**

The United States of America, by Assistant U.S. Attorney Kimberly West, hereby requests this Court to continue the detention hearing presently scheduled for May 14, 2004. As grounds for this request, the government states that its witness is unavailable on May 14, 2004 as he was previously scheduled to testify in an immigration matter in the United States Immigration Court, District of Massachusetts. The defendant has no objection to this request and suffers no prejudice by the granting of this motion.

Additionally, the defendant was arrested in the District of Connecticut on April 13, 2004 and entered the District of Massachusetts on April 16, 2004. Consequently, the government has until May 15, 2004 to indict the defendant, as any delay resulting from the transfer of the case is excluded pursuant to 18 U.S.C. § 3161(h)(1)(G).

The government requests a continuance of the period within which it must seek an indictment in this matter, to April 21, 2004. Furthermore, the government requests that the additional time be excluded under the Speedy Trial Act pursuant to 18 U.S.C. §3161(h)(8)(A) and that this Court find that the ends of justice served by the granting the requested exclusion outweigh the best interest of the public and the defendant in a speedy trial. The defendant assents

to this request.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Kimberly P. West
KIMBERLY P. WEST
Assistant U.S. Attorney

MOHAMED ALKHAOLANI
Defendant

ASSENTED TO: _____
MARK MASTROIANNI
Attorney for Mohamed Alkhaolani

DATED: May 13, 2004

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorneys of record for defendant Mohamed Alkhaolani, Esq., Mark Mastroianni, 95 State Street, Springfield, MA, by facsimile on May 13, 2004.

/s/ Kimberly P. West
Kimberly P. West

